

SEPTEMBER 27, 2005

**CITY OF GUNNISON COUNCIL
REGULAR SESSION MINUTES**

7:00 P.M.

The Regular Session was called to order at 7:00 P.M., by Mayor Ferguson with City Councilors Medina, Harriman, Miller and Nesbitt present along with City Attorney Landwehr, Acting City Manager Ampietro, City Clerk Davidson, Community Development Director Westbay, Public Works Director Coleman, Finance Director Hanson, Police Chief Anderson, County Commissioner Swenson, County Manager DeVore, County Sheriff Murdie, County Undersheriff Besecker, many interested citizens and the press.

Consideration of Minutes:

Regular Session Meeting Minutes of September 13, 2005. Councilor Harriman noted she gave City Clerk Davidson some typographical and grammatical changes to the minutes.

Councilor Nesbitt moved and Councilor Miller seconded the motion to approve the Regular Session Meeting Minutes of September 13, 2005, as presented with the noted changes.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

Pre-Scheduled Citizens:

Dr. Fred Rainguet, City Manager Search Consultant. Dr. Rainguet reviewed the draft City Manager vacancy announcement, the publications where the announcement will be placed, and informed Council he will be conducting a mailing to every City Manager in Colorado and surrounding area. The response deadline from interested applicants will be October 28th. Dr. Rainguet is proposing the finalists be interviewed in Gunnison the week of November 14th. The multi-day interview process will consist of several interview panels with City Council making the final selection. Acting City Manager Ampietro asked if Management Staff and the employees will have input in the selection process. Dr. Rainguet stated the City can determine several ways to get Staff involved in the process.

Council thanked Dr. Rainguet and the Mayor stated Council could now make a decision about filling the Interim City Manager position.

Councilor Medina moved and Councilor Harriman seconded the motion to appoint Ken Coleman as Interim City Manager, and to have it on the record that Mr. Coleman is eligible to apply for the vacant City Manager position.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Medina. So carried.

Roll call vote, no: None.

Update on Gunnison Chamber of Commerce – Executive Director Tammy Scott. Ms. Scott reviewed the projects and programs the Chamber has accomplished in 2005. One of these projects was an update of the area map including the new streets in the area. Ms. Scott related the Small Business Development Center representative has not been in Gunnison recently. She also reviewed the area price report that the Chamber conducts comparing the cost of living in Gunnison with a variety of other locales throughout the country.

Presentation on Proposed County Detention Facility – County Commissioners Starr, Swenson and Channell, County Sheriff Rick Murdie. Sheriff Murdie and Undersheriff Besecker gave a power point presentation. He reviewed the status of the existing detention facility. Mr. Besecker noted the current jail building was built in 1980 and contained 18 total beds with 1 maximum security bed, 2 detox beds, 2 female beds and the rest for male inmates. The use of the jail has quadrupled since 1980 and it is not safe or sanitary for workers or the trustees. The same 34,000 square feet of jail space now contains 46 total beds with 2 detox beds, 8 female beds, 23 male beds, 1 maximum security bed and 12 work release trustee beds. Problems cited with the existing facility included: officer safety; lack of full visibility of all inmates; inmate safety concerns; no isolation unit; no room for programs; poor HVAC system; plumbing fixtures can't be accessed; cell door locks are outdated; fire escape is limited; and there is no storage. Discussion ensued with County Manager DeVore and Commissioner Swenson about the choice of sites for the jail expansion. The new facility would provide a podular design, would have 64 beds with the capability to expand to 94 beds, would provide a

secure link from the detention facility to the courtrooms, would increase safety for officers, inmates and citizens, and would provide space for trustee programs. County Manager DeVore stated the total capital cost of the project is \$8,355,962. The ballot question is asking for a 1.65 mill increase. Discussion ensued on a facility parking study, economic impact analysis, whether the bond question is site specific, operating and maintenance costs, additional office space, the proposed community meeting room, and the possibility of re-tooling the existing jail into the project.

City Attorney Landwehr cautioned Council the County has an application for rezoning of the site in process with the City. In light of that application and pending action by the Council, there can be no official position on this proposal from the Council. Council thanked the County for their presentation.

Unfinished Business:

Proposed 2006 City Budget. Finance Director Hanson informed Council of the following adjustments to the proposed budget: vehicle fuel has been adjusted upward by 25%; after meeting with Atmos Energy representatives, utilities have been increased by 50%; and capital line items in the Water Fund have been reduced. Director Hanson informed Council they will receive, prior to the October 4th Work Session, more detailed background and financial information on the groups requesting Grants and Contracts for Service monies in the 2006 budget. Scheduled for future work sessions are special events coordinator funding, the police exchange program; and the West Gunnison Neighborhood Plan.

Insurance Reserve Account. Finance Director Hanson informed Council the City has paid claims in excess of \$200,000 in the last few months. This has depleted the City's insurance reserve account. The aggregate stop loss insurance claims will be audited by the insurance carrier on September 30th but it appears the City needs a temporary transfer of funds from the General Fund to the Insurance Revenue Account to cover the pending claims. This transfer is accomplished via an ordinance, which will be presented for first reading later in the meeting.

New Business:

Request from Bill Swift for Waiver of Park Rental Fees for Hurricane Katrina Victims Fundraiser. Bill Swift, with the Hurricane Katrina Victims Fundraiser, came forward. He described the event and requested the City waive the \$115.00 in park rental fees for the fundraiser to be held at Jorgensen Park on October 9th. Parks & Recreation Director Ampietro addressed Council. Discussion ensued on the following: the parks rental fees were set in May, 2005, and were set on the "low side" of similar municipalities; many non-profits use the City facilities; events require parks services such as trash and restroom facilities; and, how can the City set criteria for who does and who does not have to pay park rental fees. This is a very difficult decision.

Councilor Nesbitt moved and Councilor Miller seconded the motion, that although it is a very worthy cause, to deny the request to waive the park rental fees for the Hurricane Katrina Victims Fundraiser.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Medina, Harriman. So carried.

Roll call vote, no: None.

Request from Gunnison/Crested Butte Tourism Association to Acquire "Gunnison.travel" Website Domain Name. Rob Strickland, of the Tourism Association informed Council the Tourism Association needs the City's authorization to register the "Gunnison.travel" domain name with Tralliance Corporation. The Tourism Association will cover the \$135.00 registration fee for the domain name.

Councilor Nesbitt moved and Councilor Medina seconded the motion that the Mayor sign the letter to Tralliance Corporation, giving the City's permission for the Tourism Association to acquire the "Gunnison.travel" website domain name.

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Roll call vote, yes: Miller, Nesbitt, Medina, Harriman, Ferguson. So carried.

Roll call vote, no: None.

Set Special Session Meeting of Council Scheduled for Friday, September 30, 2005, at 8:00 A.M. As Finance Director Hanson previously requested, the Special Session would be to consider passing Ordinance No. 12, Series 2005, on second reading. Discussion ensued concerning the time.

Councilor Nesbitt moved and Councilor Medina seconded the motion to set a Special Session meeting of Council for Friday, September 30, 2005, at 7:00 A.M., in the City Council Chambers with second reading of Ordinance No. 12, Series 2005, as the agenda item.

Roll call vote, yes: Nesbitt, Medina, Harriman, Ferguson, Miller. So carried.

Roll call vote, no: None.

Ordinance and Resolutions:

Ordinance No. 11, Series 2005; Re: Approving Transfer of City Cable Television Franchise Agreement from Southwest Colorado Cable Inc./Adelphia Communications to Time Warner NY Cable, 2nd Reading.

Councilor Miller introduced Ordinance No. 11, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 11, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, APPROVING THE ASSIGNMENT OF THE CABLE TELEVISION SYSTEM FRANCHISE AGREEMENT AND THE CABLE SYSTEM TO TIME WARNER NY CABLE LLC**, be introduced, read, passed and adopted on second reading this 27th day of September, 2005.

Roll call vote, yes: Medina, Harriman, Ferguson, Miller, Nesbitt. So carried.

Roll call vote, no: None.

Ordinance No. 12, Series 2005; Re: Adopting an Additional Appropriation for the Fiscal Year Ending December 31, 2005, to the General Fund in the Amount of \$125,000 and Transferred to the Insurance Reserve Fund, 1st Reading.

Councilor Miller introduced Ordinance No. 12, Series 2005, and it was read by title only by the City Attorney.

Councilor Miller moved and Councilor Nesbitt seconded the motion that Ordinance No. 12, Series 2005, **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ADOPTING AN ADDITIONAL APPROPRIATION FOR THE FISCAL YEAR ENDING DECEMBER 31, 2005, TO THE GENERAL FUND IN THE AMOUNT OF \$125,000 AND TRANSFERRED TO THE INSURANCE RESERVE FUND**, be introduced, read, passed and ordered published this 27th day of September, 2005.

Roll call vote, yes: Harriman, Ferguson, Miller, Nesbitt, Medina. So carried.

Roll call vote, no: None.

City Attorney: Nothing further to report.

City Manager: Mark Collins: Out of town attending ICMA Conference in Minnesota.

Interim City Manager Ken Coleman: Addressed Council and thanked them for his appointment as Interim City Manager. He asked to meet with each of the Councilors and hear their expectations of him during the transition period. He has great confidence in the Staff and employees.

Acting City Manager: Parks & Recreation Director Ampietro: Departmental Report. Director Ampietro reviewed the report placed in Council packets, the programs and attendance at the new Community Center, the hockey boards project that is underway, and discussed the proposed tree sculpting program to be held in Legion Park in conjunction with next year's Chuckwagon Cook-off event.

City Clerk: Gail Davidson: Nothing further to report.

Non-Scheduled Citizens:

Butch Clark, City resident, thanked Parks Director Ampietro for the idea about the tree sculptures. He passed out copies of information he sent to the County regarding the proposed jail facility. He has developed a proposed jail design with an approximate \$3 million price tag. He proposes building the facility on land adjacent to the City. Using video court conferencing can lower the cost as well. He also has the National Institute of Corrections facilities guidelines if Council would like to review them. Mr. Clark urges the County to have room for future expansion as well.

Chris Dickey, Editor of the Gunnison Country Times, asked about the Intergovernmental Agreement (IGA) between the City and the County regarding mutual support between the entities for the City Community Center and the County Detention Facility. No one had a copy of the IGA. City Clerk Davidson will get a copy of the IGA to Council tomorrow morning.

Richard Karas, County resident, informed Council the League of Women Voters will host a public forum in October on the proposed detention facility. He thanked Council for allowing him to sit in on last week's budget work session and thanked Finance Director Hanson for the clear presentation of the proposed budget. Mr. Karas asked, if the City has a difficult fiscal year, does Council have a process for determining what would be eliminated if revenues don't make expectations. Discussion ensued.

General Discussion/Items for Work Session:

Councilor Harriman: Planning & Zoning Commission Meeting. Councilor Harriman reported the Planning Commission is seeing trends. At each meeting there are more Commission reviews and recommendations of County subdivisions in the Three-Mile Plan area. This brings more discussions on annexation issues. Councilor Harriman stated more communication is a good thing and a strong Three-Mile Plan is critical.

Councilor Nesbitt: Attended a Region 10 Revolving Loan Fund meeting. He reported the funding for the Small Business Development Center is in jeopardy and the Center is not meeting the City's Contract for Service obligations. Councilor Nesbitt asked for the City Clerk to prepare a resolution thanking Steve Borrick for his commitment to the community and Western State College.

Mayor Ferguson and Councilors Miller and Medina: Nothing further to report.

Executive Session: Discussion on the potential acquisition of real property as outlined under C.R.S. Section 24-6-402(4)(a).

Councilor Harriman moved and Councilor Miller seconded the motion to go into Executive Session to discuss the potential acquisition of real property as outlined under C.R.S. Section 24-6-402(4)(a) and that no action will be taken during the Executive Session.

Roll call vote, yes: Ferguson, Miller, Nesbitt, Medina, Harriman. So carried.

Roll call vote, no: None.

The meeting moved into Executive Session at 9:28 P.M. The Regular Session meeting reconvened at 9:52 P.M. and Mayor Ferguson stated, for the record, that no items were discussed during the Executive Session, other than the stated agenda item, and no action was taken during the Executive Session.

Adjournment: At 9:55 P.M.

Mayor

City Clerk